

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA	:	
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- v. -	:	PRELIMINARY
	:	ORDER OF FORFEITURE/
	:	<u>MONEY JUDGMENT</u>
NKANGA NKANGA,	:	
	:	
Defendant.	:	18 Cr. 713 (JMF)
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WHEREAS, on or about October 3, 2018, NKANGA NKANGA, (the “Defendant”) was charged in a five-count Indictment, 18 Cr. 713 (JMF) (the “Indictment”) with conspiracy to distribute and possess with intent to distribute oxycodone, buprenorphine, and alprazolam, in violation of Title 21, United States Code, Section 846, (Count One) and distribution and possession with intent to distribute oxycodone, buprenorphine and alprazolam, in violation of Title 21, United States Code, Section 841(b)(1)(C), 841(b)(1)(E) and 841 (b)(2) (Counts Two through Five);

WHEREAS, the Indictment included a forfeiture allegation as to Counts One through Five, seeking forfeiture to the United States, pursuant to Title 21, United States Code, Section 853 of any and all property constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of the offenses and any and all property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, the offenses, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of the offenses charged in Counts One through Five of the Indictment that the Defendant personally obtained;

WHEREAS, on or about October 21, 2019, the Defendant pled guilty to Counts One through Five of the Indictment;

WHEREAS, the Government asserts that \$46,800.00 in United States currency represents the amount of proceeds traceable to the offenses charged in Counts One through Five of the Indictment that the Defendant personally obtained;

WHEREAS, the Government seeks a money judgment in the amount of \$46,800.00 in United States currency pursuant to Title 21 United States Code, Section 853, representing the amount of proceeds traceable to the offenses charged in Counts One through Five of the Indictment that the Defendant personally obtained; and

WHEREAS, the Court finds that, as a result of the acts and/or omissions of the Defendant, the proceeds traceable to the offenses charged in Counts One through Five of the Indictment that the Defendant personally obtained cannot be located upon the exercise of due diligence.

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED THAT:

1. As a result of the offenses charged in Counts One through Five of the Indictment, to which the Defendant pled guilty, a money judgment in the amount of \$46,800.00 in United States currency (the "Money Judgment"), representing the amount of proceeds traceable to the offenses charged in Counts One through Five of the Indictment that the Defendant personally obtained, shall be entered against the Defendant.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Preliminary Order of Forfeiture/Money Judgment is final as to the Defendant, NKANGA NKANGA and shall be deemed part of the sentence of the Defendant, and shall be included in the judgment of conviction therewith.

3. All payments on the outstanding Money Judgment shall be made by postal money order, bank or certified check, made payable to the “United States Marshals Service” and delivered by mail to the United States Attorney’s Office, Southern District of New York, Attn: Money Laundering and Transnational Criminal Enterprises Unit, One St. Andrew’s Plaza, New York, New York 10007 and shall indicate the Defendant’s name and case number.

4. The United States Marshals Service is authorized to deposit the payments on the Money Judgment in the Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

5. Pursuant to Title 21, United States Code, Section 853(p), the United States is authorized to seek forfeiture of substitute assets of the Defendant up to the uncollected amount of the Money Judgment.

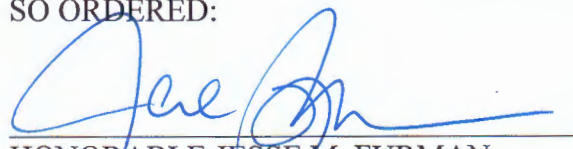
6. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, upon entry of this Preliminary Order of Forfeiture/Money Judgment, the United States Attorney’s Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas.

7. This Court shall retain jurisdiction to enforce this Preliminary Order of Forfeiture/Money Judgment, and to amend it as necessary, pursuant to Rule 32.2(e) of the Federal Rules of Criminal Procedure.

8. The Clerk of the Court shall forward three certified copies of this Preliminary Order of Forfeiture/Money Judgment to Assistant United States Attorney Alexander J. Wilson, Co-Chief, Money Laundering and Transnational Criminal Enterprises Unit, United States Attorney's Office, One St. Andrew's Plaza, New York, New York 10007.

Dated: New York, New York  
March 12, 2019

SO ORDERED:



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HONORABLE JESSE M. FURMAN  
UNITED STATES DISTRICT JUDGE